

SUB:ALL INDIA SERVICES (CONDUCT) RULES, 1968-  
Ms. Charu Sinha, IPS.-Defamation-O.S No.69/2008,filed by  
Sri M. Madhava Reddy, formerly SDPO., Mahaboobnagar  
against the MoS- Permission for providing legal  
aid/assistance on Govt. cost to contest the case-Reg.

REF: From the Director Genl. of Police, A.P.,  
Lr.No.394/O2/07, dated 3.1.2009 forwarded by  
the G.A(SC.D) Deptt in U.O.Note  
No.7/SC.D/A1/2009-1, dated 3.2.2009.

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Please see the letter received from the DGP.,AP., forwarded by  
the G.A(SC.D) Deptt., at pages 1-5cf.,

Submitted that the DGP.,AP, in his letter dated 3.1.2009 has  
stated that he has furnished the factual position on the representation  
of Sri M. Madhava Reddy, formerly SPDO., Mahabubnagar intimating  
the Govt., about filing of defamation suit against Ms. Charu Sinha, IPS.,  
the then SP., Mahabubnagar and the Govt. in  
Memo.No.58/SC.D/A1/2008-2, dated 12.8.2008 have rejected his  
request to permit him to prosecute the MoS. Despite of rejection of  
permission to prosecute the MoS., he has filed a private civil suit in the  
Dist.Court, Mahabubnagar for defamation in O.S. No.69/2008 claiming  
that the articles published in the news papers as a result of her  
interview to the local news papers carried articles about his corrupt  
activities. He filed this suit of defamation against the MoS., Sri Ramoji  
Rao and Prl.Secretary to Govt.(Home). He has prayed the Hon'ble  
Court to pass orders for Rs. 15-00 lakhs to be paid by Ms. Charu Sinha,  
IPS., for damaging his prestige in the society for the detailed reasons in  
his affidavit. In this connection copy of O.S. No. 69/08 filed against  
the MoS., may be seen at pp 25-35cf.

The DGP., has stated that the MoS.,in her letter dated  
29.12.2008 while referring the various orders of APPM, which protect  
the senior officers for submission of reports against their behaviour  
and conduct and such reports are saved from the purview of  
defamation and other litigations in the court. The MoS., has also  
stated that no interview of any kind was given by her to any  
newspaper, commenting on the reasons for suspension of Sri M.  
Madhava Reddy.The MoS., has therefore requested the DGP:

- a) necessary disciplinary action be initiated against Sri M. Madhava Reddy, for initiating vindictive litigation, against the MoS., on whose report he was suspended since this amounts to violation of APPM.
- b) grant legal aid to fight this suit as per order No.159-1 of the APPM which reads as follows:

“The Police Deptt., and Govt., are committed to protect and support officers who are harassed by vindictive litigation by unscrupulous and disgruntled elements for discharging his legitimate duties. False and malicious allegations are often made against police officers with a view to hamper and embarrass

them in the proper discharge of their duties. Such officers unless supported morally and financially may become disheartened and resigned to their fate and in the process even a good officer may not contribute productively to the deptt. Once it is reasonably established that an officer is drawn into vexatious litigation, he shall be given all protection by extending legal and financial support and such other departmental/administrative assistance as may be deemed proper in each case” In case no action is initiated against Sri M. Madhava Reddy, legal aid may be granted to oppose the civil suit filed by him.

In this connection, he has further informed that Sri M. Madhava Reddy, was placed under suspension, article of charges were issued and the OE was ordered. The Vinay Ranjan Ray, IPS., was appointed as E.O and O.E. is under progress.

Hence, he has requested to consider :

a) the request of the MoS., for initiating disciplinary action against Sri M. Madhava Reddy for his filing the defamation suit against her and stated to take legal opinion from the Law Deptt., for taking necessary action against Sri M. Madhava Reddy for his indisciplined and indifferent attitude for filing defamation suit against the MoS and ;

**b) to consider the request of the MoS., for legal aid/assistance on Govt. cost to defend herself in the defamation suit and the expenses involved in the legal process may be reimbursed to her by the Govt., on submission of necessary documentary evidence to the above effect.**

In this regard the text of Rule 17 of the AIS (Conduct) Rules is extracted below:

**‘VINDICATION OF ACTS AND CHARACTER OF MEMBER OF THE SERVICE:**

**No member of service shall except with the previous sanction of the Government have recourse to any court or to the press for vindication of official act which has been the subject matter of adverse criticism or attack of a defamation character.**

**Explanation: Nothing in this rule shall be deemed to prohibit a member of the service from vindication of his private character or any act done by him in private capacity. Provided that he shall submit a report to the Government regarding such action.”**

In this connection it is submitted that in respect of point (a) on para ( 5 ) above, the DG., AP., has sent a copy of his letter to the Prl.Secy.(Home) to Govt., for taking n/a. For orders whether the file may be referred to the Law Deptt., for their considered views on point (b) of para ( 5 ), for legal aid/assistance on Govt. cost to defend Ms. Charu Sinha, IPS., against the defamation suit filed by Sri M. Madhava Reddy, formerly SDPO., Mahabubnagar in O.S.No. 69/2008 and the expenses involved in the legal process can be reimbursed by the Govt.

### NOTE FOR CIRCULATION

The file deals with the proposal for providing legal aid/assistance on Govt.cost to defend Ms. Charu Sinha, IPS., against the defamation suit filed by Sri M. Madhava Reddy, formerly SDPO., Mahabubnagar.

Submitted that the DGP.,AP, in his letter dated 3.1.2009 has stated that he has furnished the factual position on the representation of Sri M. Madhava Reddy, formerly SPDO., Mahabubnagar intimating the Govt., about filing of defamation suit against Ms. Charu Sinha, IPS., the then SP., Mahabubnagar and the Govt. in Memo.No.58/SC.D/A1/2008-2, dated 12.8.2008 have rejected his request to permit him to prosecute the MoS. Despite of rejection of permission to prosecute the MoS., he has filed a private civil suit in the Dist.Court, Mahabubnagar for defamation in O.S. No.69/2008 claiming that the articles published in the news papers as a result of her interview to the local news papers carried articles about his corrupt activities. He filed this suit of defamation against the MoS., Sri Ramoji Rao and Prl.Secretary to Govt.(Home). He has prayed the Hon'ble Court to pass orders for Rs. 15-00 lakhs to be paid by Ms. Charu Sinha, IPS., for damaging his prestige in the society for the detailed reasons in his affidavit. In this connection copy of O.S. No. 69/08 filed against the MoS., may be seen at pp 25-35cf.

In this regard he has further informed that Sri M.Madhava Reddy, was placed under suspension, article of charges were issued and the OE was ordered. The Vinay Ranjan Ray, IPS., was appointed as E.O and O.E. is under progress.

Hence, he has requested to consider :

a) the request of the MoS., for initiating disciplinary action against Sri M. Madhava Reddy for his filing the defamation suit against her and stated to take legal opinion from the Law Deptt., for taking necessary action against Sri M. Madhava Reddy for his indisciplined and indifferent attitude for filing defamation suit against the MoS and ;

**b) to consider the request of the MoS., for legal aid/assistance on Govt.cost to defend herself in the defamation suit and the expenses involved in the legal process may be reimbursed to her by the Govt., on submission of necessary documentary evidence to the above effect.**

In this regard the text of Rule 17 of the AIS (Conduct) Rules is extracted below:

**'VINDICATION OF ACTS AND CHARACTER OF MEMBER OF THE SERVICE:**

**No member of service shall except with the previous sanction of the Government have recourse to any court or to the press for**

**vindication of official act which has been the subject matter of adverse criticism or attack of a defamation character.**

**Explanation: Nothing in this rule shall be deemed to prohibit a member of the service from vindication of his private character or any act done by him in private capacity. Provided that he shall submit a report to the Government regarding such action."**

When the Law Deptt., have consulted, the Secy., Legal Affairs has opined that police officers may be sanctioned defence at Govt., cost to

defend the cases filed before the civil courts subject to payment of fees as is being paid to the concerned G.P., of the Court and there is no objection to consider the request of Mrs. Charu Sinha, IPS., to sanction defence in the above case subject to the above condition.

As opined by the Law Deptt., for orders whether Ms. Charu Sinha, IPS., may be permitted in terms of rule 17 of AIS (Conduct) Rules, 1968, and the MoS., may be sanctioned defence at Govt., cost to defend the case against civil suit in the Dist. Court, Mahabubnagar filed by Sri M. Madhava Reddy, formerly SPDO., subject to payment of fee as is being paid to the concerned G.P. of the Court.

The file may be circulated to C.M., through Prl. Secretary Finance for obtaining approval as at para ( ) above.

**GOVERNMENT OF ANDHRA PRADESH  
GENERAL ADMINISTRATION (SC.X)**

**DEPARTMENT**

**MEMO.NO.177/SC.X/A3/2009**

**DATED: .03.2009**

**Sub; All India Services Officers-All India Services (Conduct) Rules, 1968-Ms.Charu Sinha, IPS.-Permission to defend herself in the defamation suit against O.S.No 69/08 filed by Sri M. Madhava Reddy, formerly SDPO., Mahabubnagar.-Accorded.**

**Ref:From the Director Genl. of Police, AP.,Lr.No.394/O2/2007, dated 3.1.2009 forwarded by the G.A(SC.D) Deptt., in U.O.Note No.7/SC.D/A1/2009-1, dated 03.2.2009.**

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**The attention of Ms.Charu Sinha IPS., is invited to the reference cited and the Member of Service is informed that Government after careful examination of the matter have decided to permit her in terms of rule 17 of All India Services (Conduct) Rules, 1968, to defend herself in the defamation suit filed by Sri M.Madhava Reddy, formerly SDPO., Mahabubnagar, in O.S.No.69/08.**

**2. The Member of Service is informed that a separate order is being issued for providing legal aid.**

**To  
Ms. Charu Sinha, IPS.,  
Thr' the DGP.,AP.,Hyderbad.**

**Copy to:  
The DGP.,A.P.,Hyderabad.  
Home (SC.A) Deptt.  
Law Deptt./The G.A.(SC.D) Deptt./S.F**

## Abstract

**ALL INDIA SERVICES (CONDUCT) RULES, 1968-  
Ms.Charu Sinha, IPS.-Sanction of defence to contest  
against the defamation suit filed by Sri M. Madhava  
Reddy, formerly SDPO., Mahabubnagar in O.S.No.69/08 -  
Orders-Issued.**

[illegible]

**GENERAL ADMINISTRATION(SC.X)DEPARTMENT**

**G.O.Rt.No.,  
03-2009**

**Dated:** -

**Read the following:**

**1.From the DGP.,AP.,LR.No.394/O2/2007, dtd 03.01.2009.**

**2. Govt.Memo.No.177/SC.X/A3/2009, dated 03-2009.**

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**The Director Genl.of Police, A.P., in the reference first read above has reported that Sri M. Madhava Reddy, formerly SDPO.,Mahabubnagar filed defamation suit in O.S.No.69/2008 in the District Judge Court, Mahabubnagar against Ms. Charu Sinha, IPS., praying the court to pass orders for payment of Rs. 15,00,000/- towards damages and compensation for damaging his prestige in the society stating that the articles published in the news papers as a result of her interview to the local news papers carried articles about his corrupt activities. Ms. Charu Sinha, IPS., has requested for initiating necessary disciplinary action against Sri M. Madhava Reddy for filing the defamation suit against her and also provide legal aid/assistance on Govt.cost to defend herself. The Director Genl. of Police, AP., has requested to consider the request of Ms. Charu Sinha, IPS., and issue necessary orders in the defamation suit filed against her by the above DSP.**

**2. After careful examination of the case, Government hereby accord permission to Ms.Charu Sinha, IPS., for providing legal aid to defend herself in the defamation suit filed by Sri M.Madhava Reddy, formerly SDPO., Mahabubnagar, in O.S.No.69/08. in the District Judge Court, Mahabubnagar, subject to payment of fees to the advocate engaged by her will be as is being paid to the concerned Government Pleader of the Court**

**3. This order issues with the concurrence of Law Department in their U.O.No.1101/LSP/2009, dated 29.2.2009 and Prl. Secretary to Government, Finance Department.**

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA  
PRADESH)**

**To  
Ms.Charu Sinha,IPS.,  
Thr' the DG P.,AP.,Hyderabad.  
Copy to:  
The DGP.,AP.,Hyderabad.  
Law Deptt./ Prl.Secretary to Govt., Finance Dept.  
The G.A.(SC.D) Deptt./S.F**